

VZCZCXYZ0000
OO RUEHWEB

DE RUEHSG #0005/01 0022028
ZNR UUUUU ZZH
O 022028Z JAN 09
FM AMEMBASSY SANTIAGO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4227
INFO RUEHAC/AMEMBASSY ASUNCION 3700
RUEHLP/AMEMBASSY LA PAZ JAN BRASILIA 0612
RUEHGT/AMEMBASSY GUATEMALA 0357
RUEHRL/AMEMBASSY BERLIN 0138
RUEHME/AMEMBASSY MEXICO 1264
RUEHBO/AMEMBASSY BOGOTA 2236
RUEHBU/AMEMBASSY BUENOS AIRES 1215
RUEHPE/AMEMBASSY LIMA 5885
RUEHCV/AMEMBASSY CARACAS 1896
RUEHQT/AMEMBASSY QUITO 2052
RUEHMN/AMEMBASSY MONTEVIDEO 4167
RUEHSN/AMEMBASSY SAN SALVADOR 0296
RUEHUB/USINT HAVANA 0113
RUEHMU/AMEMBASSY MANAGUA 0141
RUEHZP/AMEMBASSY PANAMA 0347
RUEHSJ/AMEMBASSY SAN JOSE 0917
RUEHTG/AMEMBASSY TEGUCIGALPA 0172

UNCLAS SANTIAGO 000005

STATE FOR G/TIP, WHA/BSC

SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: [PGOV](#) [PREL](#) [KTIP](#) [XM](#) [XL](#) [CI](#)

SUBJECT: CHILE HOSTS IBERIAN-AMERICAN SUMMIT ON TIP

11. SUMMARY: Approximately 150 public prosecutors, NGO leaders, and other government officials from 21 Latin American countries gathered at the recent Iberian-American Public Prosecutor's summit to discuss Trafficking in Persons (TIP) investigations, prosecutions, victims' assistance, and prevention efforts. The summit successfully promoted the idea that international cooperation is essential to combating TIP and underscored the challenges facing public prosecutors in Latin America. USG subject matter experts provided specialized training to Chilean prosecutors and delivered a presentation on the methodology employed by the FBI/DOJ to address this matter. High level participation from many countries, including President Bachelet's attendance at the closing ceremony, and a signed declaration by all 21 countries demonstrated a commitment to improving anti-trafficking efforts across the region. END SUMMARY.

COMBATING TIP: INTERNATIONAL COOPERATION IS ESSENTIAL

12. Delegations from 21 countries gathered in Santiago December 17-19 at the Iberian-American Public Prosecutor's Association (AIAMP) first ever summit on TIP. The 21 countries issued a joint declaration pledging increased cooperation on trafficking issues. The declaration provides a commitment to increase information exchanges, promote training opportunities, and integrate anti-trafficking efforts across borders. At the closing ceremony, President Bachelet[F1] emphasized the need for continual information exchange among countries in the region and improvements to legislative frameworks in accord with international standards. She alluded to the creation of joint investigative teams "in the near future" that could facilitate penal prosecution between countries of the region.

13. The Iberian-American Public Prosecutor's Association (AIAMP) and Chile's Ministerio Publico organized the conference with the help of the German government. The AIAMP aims to improve cooperation among public prosecutors in member countries. AIAMP General Secretary and Chilean prosecutor Jorge Chocair said the organization selected TIP as this year's topic because it is an issue that requires international coordination. Trafficking experts from the United

Nations Office on Drugs and Crime (UNODC), the International Organization for Migration (IOM), the International Labor Organization (ILO), and public prosecutors from across Latin America echoed the need to improve communication and cooperation among various stakeholders to combat trafficking in persons.

¶4. Summit participants included delegations from 21 Latin American countries in addition to delegations from Germany and the United States. Attorney Generals from Brazil, Guatemala, Honduras, Uruguay, Cuba, El Salvador, Paraguay, Peru and the Dominican Republic attended.

RECOGNIZING LIMITATIONS IN THE REGION

¶5. Presentations by public prosecutors from Chile and Guatemala highlighted the deficiencies in existing trafficking laws in both countries. The current Chilean law does not/not distinguish between trafficking in persons and smuggling migrants, ties trafficking exclusively to prostitution, and does not/not provide legal protection to domestic victims of labor or commercial sex trafficking. Guatemala's law has similar limitations. These flaws discourage public prosecutors from pursuing trafficking cases because they are unlikely to receive convictions or lengthy sentences. Chile has a draft law pending that would eliminate these irregularities and bring the law in line with the Palermo protocols.

¶6. The UNODC noted several regional problems, including a lack of coordination among investigating offices, duplication of efforts between national and international actors, poor evidence control, and a shortage of trafficking experts. The UNODC has initiated programs in Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Paraguay to address these problems. The UNODC programs include training public prosecutors, technical legislative assistance, and promoting reciprocal judicial support.

¶7. Presentations by specialists from Regional Victims' Assistance Units of Chile's Public Prosecutor's office highlighted the importance of planning and coordination between prosecutors, detectives and victims' assistance specialists -- prior to arrests whenever possible -- in order to provide the best possible aid to trafficking victims. All of the presenters noted the vital importance of assistance as it can provide victims with the necessary confidence to participate in a trial. Marcela Neira, Head of the Chilean Public Prosecutor's National Office of Assistance for Victims and Witnesses, argued for specialized services for TIP victims but recognized that Chile has not yet implemented such programs.

U.S. EXPERTS WELCOMED, COOPERATION ENCOURAGED

¶8. Subject matter experts from the FBI, Department of Justice, and Department of State participated in a specialized training session and round table seminar with Chilean prosecutors prior to the summit. The training[F2] brought together 15 sex crimes and TIP prosecutors from Chile's Fiscalía Nacional Ministerio Publico to discuss best practices with U.S. experts. At the summit, the delegation explained the Trafficking Victims Protection Act (TVPA), the application of the victim-centered approach, and presented case studies. USG presenters underlined the importance of regional task forces that coordinate the efforts of investigators, prosecutors, other local authorities and NGOs. The delegation emphasized USG interest in cooperating with other countries to confront trafficking. Jorge Chocair, Director of the International Cooperation at the Office of the Public Prosecutor, said he received positive feedback about the U.S. presentation and noted the strong reputation of the U.S. justice system among prosecutors at the summit.

¶9. The U.S. delegation consisted of: Supervisory Special Agent Scott Ryan, Criminal Investigative Division, FBI HQ; Maritza Conde-Vazquez, FBI Special Agent Houston Texas; Ruben Perez,

Assistant U.S. Attorney Houston Texas; Tracey Bardof, Regional Legal Advisor at Embassy Mexico City. Embassy representatives from LEGATT, EPOL, and PA attended the summit.

IOM HIGHLIGHTS ITS EFFORTS, ILO CALLS FOR ACTION

¶10. IOM provided an overview of its services in Latin America and highlighted successful outreach programs like the State Department's provision of the "Human Trafficking" video which IOM has screened in high risk environments to raise awareness. In countries such as Chile where prostitution is legal, IOM enlists registered sex workers to serve as preventive agents and sources of information to identify trafficking victims. Other IOM initiatives include toll free hot lines in Argentina and Colombia for victims.

¶11. The ILO implored all countries to enact legislation consistent with the Palermo Protocols and prosecute trafficking cases tied to work, particularly child labor. In trafficking cases where children are involved, the ILO emphasized that coercion or deception do not/not need to be present to violate the protocols. Several other presentations noted this point and encouraged countries to legislate and prosecute cases involving children accordingly.

¶12. COMMENT: Chile's national prosecutor, Sabas Chahuan, has made international cooperation a priority, and this summit represented a serious effort by Chile to promote such cooperation. The decision to focus on TIP illustrates a willingness by Chile's Ministerio Publico and the AIAMP to discuss difficult issues and acknowledge legal shortcomings. The declaration issued at the summit demonstrated political will to increase international cooperation, but the countries in attendance need to develop the professional capacity necessary to act on their words. END COMMENT
CURBAN

[F1]Any thoughts Julie?

[F2]Info from Stan/Julie